

1 Bill No. Z-86-02-31

2 ZONING ORDINANCE MAP NO. Z-03-86

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. L-2.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is
9 hereby designated an M-1 (Light Industrial) District under
10 the terms of Chapter 33 of the Code of the City of Fort
11 Wayne, Indiana of 1974:

12 East half of Lot #9 and all of Lot #8 in Chute and
13 Prince Addition

14 and the symbols of the City of Fort Wayne Zoning Map No.
15 L-2, as established by Section 11 of Chapter 33 of the Code
16 of the City of Fort Wayne, Indiana are hereby changed
17 accordingly.

18 SECTION 2. That this Ordinance shall be in full force
19 and effect from and after its passage and approval by the
20 Mayor.

21 
22 COUNCILMEMBER

23 APPROVED AS TO FORM AND LEGALITY:

24 
25 BRUCE O. BOXBERGER, CITY ATTORNEY
26
27
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32

Read the first time in full and on motion by Eustach
seconded by Redd, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the Ci
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Way
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ .M., E

DATE: 2-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Eustach
seconded by Henry, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-22-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-03-86
on the 22nd day of April, 1986,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 23rd day of April, 1986
at the hour of 11:30 o'clock 7 .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 24th day of April
1986, at the hour of 11:00 o'clock A.m. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Bushey's Incorporated
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3 District to a/an M-1 District the property described as follows:

all of
East half lot #9 and lot #8 Chute & Prince Addition.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

438,440, ~~440~~ 442 Bass St.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Jim Bushey

10218 Winchester Rd.

Dave Steele

10315 Winchester Rd.

(Name)

(Address)

Jim Bushey
Dave Steele
(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

James E. Bushey
(Name)

1701 Fairfield Ave 46804
(Address & Zip Code)

456-1247
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1986, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-86-02-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 24, 1986;

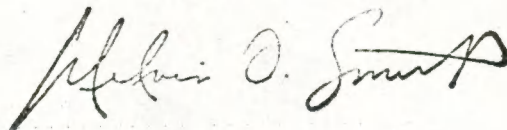
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 3, 1986.

Certified and signed this
2nd day of April 1986.



Melvin O. Smith
Secretary

FACT SHEET

Z-86-02-31

BILL NUMBER

**Division of Community
Development & Planning**

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

DETAILS**Specific Location and/or Address**

438, 440 & 442 Bass Street

Reason for Project

To allow for expansion of business.

Discussion (Including relationship to other Council actions)24 February 1986 - Public Hearing

Jim Bushey, 1701 Fairfield Ave, the petitioner stated that they are requesting the rezoning in order to build a warehouse on the property. He stated that they agree will all of the staff recommendations with the exception of the curb cut on Bass Street. He stated that the curb cut access is essential for them to expand. He stated that the alley behind the building is too narrow and too dangerous to bring a truck down.

Duane Embury asked what additional traffic flow the new addition would cause.

Mr. Bushey stated that they anticipate no additional traffic, the addition will be strictly for storage.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**Jim Bushey & David Steele
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**

For



Against

Reason Against

**Board or
Commission
Recommendation**

By



For



Against



No Action Taken

For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**

Pass



Other

Pass (as
amended)

Hold



Council Sub.



Do not pass

DETAILS

3 March 1986 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

NOTE: The condition limiting access on Bass Street was eliminated. The only condition was one of landscaping and a plan has been submitted and approved by CD&P.

Of the 9 members present 8 voted in favor of the motion 1 abstained.

POLICY/ PROGRAM IMPACT

**Policy or
Program
Change**

☐ No

☐ Yes

**Operational
Impact
Assessment**

(This space for further discussion)

Project Start

Date January 23, 1986

Projected Completion or Occupancy

Date April 2, 1986

Fact Sheet Prepared by

Patricia Biancaniello

Date April 2, 1986

Reviewed by

Date

4/3/86

Reference or Case Number

Gay F. Carter

Check # 1837

RECEIPT

No 539

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 1/22 19 86

RECEIVED FROM Bushey's, Inc. \$ 50.00

THE SUM OF Fifty & 00/100 DOLLARS

ON ACCOUNT OF 438, 440, 442 Bass St.

Reopening

B. Steele

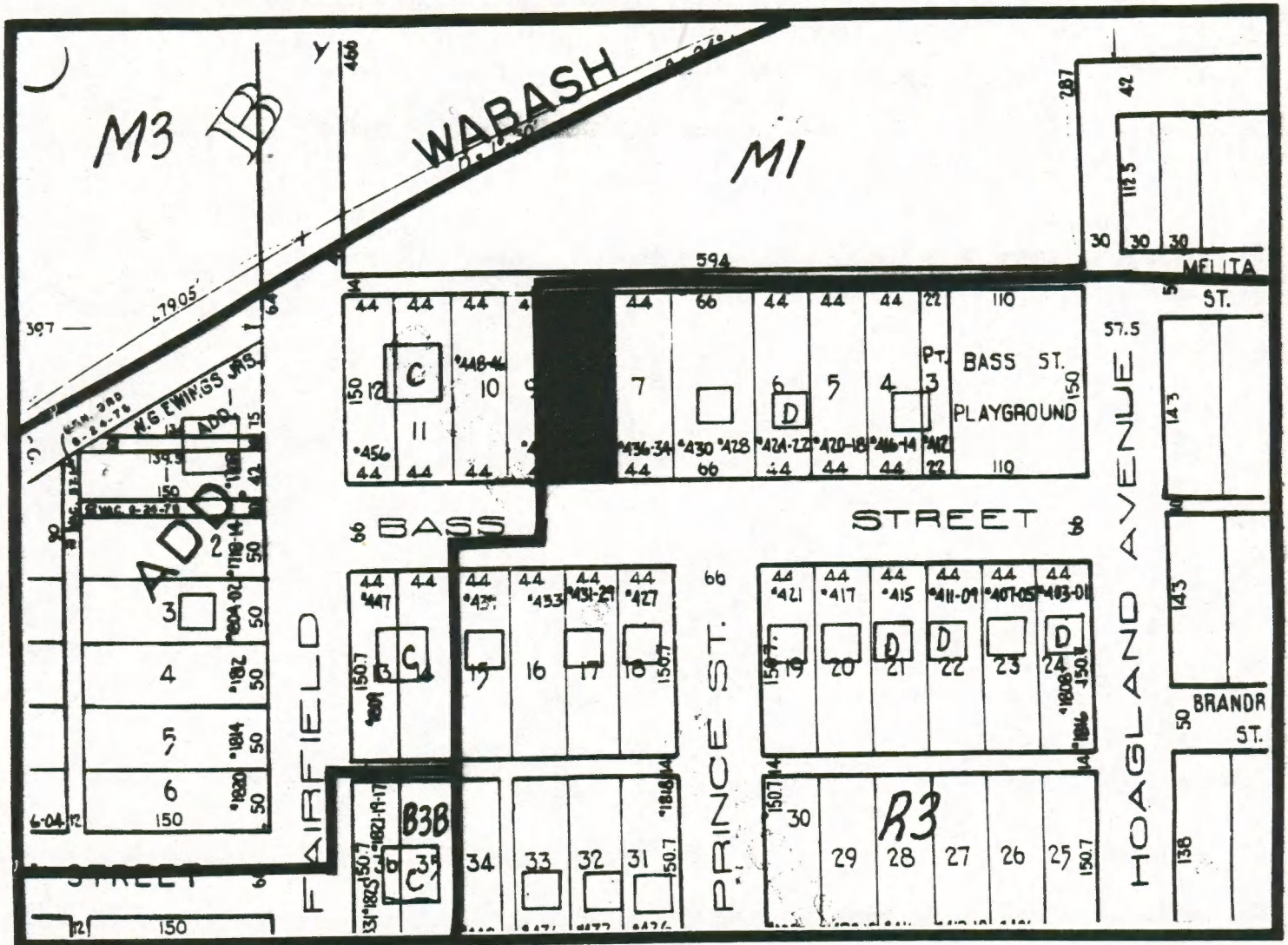
AUTHORIZED SIGNATURE

REZONING PETITION

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM AN R-3 TO A M-1 DISTRICT.

MAP NO. L-2

COUNCILMANIC DISTRICT NO. 1



ZONING:

M1 LIGHT INDUSTRY
M3 HEAVY INDUSTRY
R3 RESIDENTIAL DISTRICT
B3B GENERAL BUSINESS 'B'

LAND USE:

☐ SINGLE FAMILY
☒ DUPLEX
☒ COMMERCIAL

Change of Zone #181

SCALE: 1"=150'

DATE: 1-29-86



ORIGINAL

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. 1

DIGEST SHEET

ORIGINAL

3-80-02-31

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 438, 440 & 442 Bass Street

EFFECT OF PASSAGE Property is presently zoned R-3 - Multiple Family

Residential. Property will become M-1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain R-3 - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-86-02-31

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~
(RESOLUTION) amending the City of
Fort Wayne Zoning Map No. L-2

HAVE HAD SAID (ORDINANCE) (~~XXXXXXXXXX~~
(RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~XXXXXXXXXX~~
(RESOLUTION)

YES

NO

BEN A. EISBART
CHAIRMAN

JANET G. BRADBURY
VICE CHAIRWOMAN

DONALD J. SCHMIDT

THOMAS C. HENRY

CHARLES B. REDD

CONCURRED IN 4-22-86

SANDRA E. KENNEDY
CITY CLERK